

CX – 09



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
BOISE REGULATORY OFFICE
10095 WEST EMERALD STREET
BOISE, IDAHO 83704-9754

US EPA
FEB 12 2014
IDAHO OPERATIONS OFFICE

February 11, 2014

Regulatory Division

SUBJECT: NWW-2014-00077

Mr. Dave Erlanson Sr.
Post Office Box 46
Swan Valley, Idaho 83449

Dear Mr. Erlanson:

We have reviewed your January 1, 2014 application to suction dredge for gold in McCoy Creek in Bonneville County, Idaho and the South Fork Clearwater River in Idaho County, Idaho. The US Environmental Protection Agency (EPA) has the lead for recreational suction dredging in Idaho under the Clean Water Act. The Corps has sent your application to EPA for their review and processing. If after review of your application by EPA it is determined that there is a Section 404 component that the Corps has jurisdiction on, then the Corps would coordinate the permitting process with EPA. It is our understanding that EPA will be contacting you to discuss your application and the permitting procedures and requirements.

Since it does not appear that the Corps has any permitting responsibilities for your proposed suction dredging activity, we are returning the ten dollar money order you sent with your application to the Corps.

The project would be located within Sections 13, 14, & 15 of Township 3South, Range 44 East (Site 1-McCoy Creek) in Bonneville County, Idaho and in Sections 29 & 30 of Township 29 North, Range 7 East (Site 2-South Fork Clearwater River), in Idaho County, Idaho. Your request has been assigned File Number NWW-2014-00077.

Your suction dredging project in the South Fork Clearwater River is located in an area which is designated as critical habitat for bull trout and also has been known to support bull trout and Snake River Basin steelhead which are protected under the Endangered Species Act of 1973, as amended. We suggest you contact the US Fish and Wildlife Service and the National Marine Fisheries Service before you begin any work at this site to ensure that you comply with provisions of the Endangered Species Act.

Nothing in this letter shall be construed as excusing you from compliance with other Federal, state, or local statutes, ordinances or regulations which may affect this work.

We are interested in your thoughts and opinions concerning the quality of service you received from the Walla Walla District, Corps of Engineers Regulatory Division. If you have Internet access, please visit our web site at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey and complete an electronic version of our Customer Service Survey form, which will be automatically submitted to us. Alternatively, you may call and request a paper copy of the survey, which you may complete and return to us by mail. For additional information about the Walla Walla Regulatory please visit us at <http://www.nww.usace.army.mil/BusinessWithUs/RegulatoryDivision.aspx>. Your responses are appreciated and will allow us to improve our services.

We appreciate your cooperation with the Corps of Engineers' Regulatory Program. If you have any questions about this determination, please contact me by telephone at 208-345-2154, by mail at the address in the above letterhead, or via email at greg.j.martinez@usace.army.mil. For informational purposes, a copy of this letter is being sent to: Mr. Aaron Golart, Idaho Department of Water Resources, Mr. Gregg Taylor, Idaho Department of Water Resources, and Ms. Tracy DeGering, US Environmental Protection Agency.

Sincerely,



Gregory J. Martinez
Project Manager, Regulatory Division